

FILED

2008 AUG 22 AM 8: 05

CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

BY RM DEPUTY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

ROBERT GARCIA,

Petitioner,

v.

JIMMY WALKER, Warden,

Respondent.


Civil No. 08-1441 W (WMC)

**ORDER GRANTING APPLICATION  
TO PROCEED IN FORMA PAUPERIS**

Petitioner, a state prisoner proceeding pro se, has submitted a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254, together with a request to proceed in forma pauperis. Petitioner has no funds on account at the California correctional institution in which he is presently confined. Petitioner cannot afford the \$5.00 filing fee. Thus, the Court **GRANTS** Petitioner's application to proceed in forma pauperis. The Clerk of the Court shall file the Petition for Writ of Habeas Corpus without prepayment of the filing fee.

**IT IS SO ORDERED.**

DATED: 8/21/08

  
Thomas J. Whelan  
United States District Judge